

IV. Remarks

Reconsideration of this application in light of the above amendments and the following remarks is requested.

The specification has been amended in the interest of clarity.

Applicant confirms the election, without traverse, for prosecution herein, the species of Fig. 2, claims 1 – 8, as delineated in the Office Action mailed March 9, 2006.

Claims 1 and 8 have been amended.

Claims 6 and 7 have been cancelled.

Claims 2-5 have been maintained in their original form.

Claims 9-50 have been withdrawn.

Claim 1 has been amended to distinguish over the U.S. Patent No. 6,253,855 to Johal et al, which was applied in the office action, and is allowable for the following reasons.

Amended claim 1 recites a method for maintaining the temperature of production fluid flowing from a well, through a pipe and to a remote location above a threshold value that would cause hydrates to form, and the steps of the method include terminating the flow of the fluid through the pipe; inserting a section of tubing into the pipe to define a space between the tubing and the pipe; introducing a pressurized gas into the space so that the gas passes through the space and displaces the fluid from the space and through the tubing, to reduce the fluid pressure in the pipe; terminating the step of introducing; and then reducing the pressure in the space and/or the tubing so that any remaining fluid in the pipe will be allowed to expand and flow to the remote location to reduce the threshold value to a value below that of the temperature of the fluid in the pipe to prevent the formation of the hydrates.

The PTO provides in MPEP §2131 that:

"[t]o anticipate a claim, the reference must teach every element of the claim."

Therefore, to support these rejections with respect to amended claim 1, the Johal et al patent must contain all of the above-claimed elements of the claim. However, this patent does not disclose introducing a pressurized gas into the above space so that the gas passes through the space and displaces the fluid from the space and through the tubing, to reduce the fluid pressure in the pipe, terminating the step of introducing, and then reducing the pressure in the space and/or the tubing so that any remaining fluid in the pipe will be allowed to expand and flow to

the remote location to reduce the threshold value to a value below that of the temperature of the fluid in the pipe to prevent the formation of hydrates.

As a result, the previous rejections based on 35 U.S.C. §102(b) cannot be supported by the Johal et al patent as applied to amended claim 1.

Claims 2-5 and 8 all depend from claim 1 and therefore are also in condition for allowance.

In view of all of the above, an early formal notice thereof is respectfully requested.

The examiner is invited to call the undersigned at the below-listed telephone number if a telephone conference would expedite or aid the prosecution of this application.

Respectfully submitted,

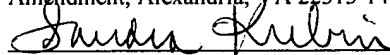


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